

Message

From: Betty Osceola [boochopee@gmail.com]
Sent: 12/16/2020 9:44:49 PM
To: Aguirre, Janita [Aguirre.Janita@epa.gov]
CC: Ross, David [Ross.David@epa.gov]
Subject: [SPAM-Sender] 404 permits assumption by Florida and Indian Country/Territory.

Dear Mrs Aguirre,

My name is Betty Osceola I'm an enrolled member of the Miccosukee Tribe of Indians of Florida and serve on the Miccosukee Tribe's Everglades Advisory Committee and am a staunch advocate for tribal sovereignty and defender of tribal lands.

I send this email with great urgency and utter disappointment after learning EPA has denied an outstanding request from my tribe the Miccosukee for formal Government to Government consultation in regards to tribal concerns with the assumption of 404 permits by the state of Florida.

I am not disputing the State's rights to pursue assumption of 404 permits on state lands that are not bound by settlement agreements and decrees to the federally recognized Indian Tribes here in Florida.

What I am dismayed by is EPA denying the tribe to government to government consultation as is required by a federal agency. Email exchanges and phone calls between attorneys and agencies do not constitute formal government to government consultation. Also, I as a Miccosukee am greatly disturbed that the EPA would approve a state taking over jurisdiction of 404 permits on Federal lands as the Army Corps relinquishment proposes to do therefore, allowing the Corps to not adhere to their trust responsibilities as a federal agency. The Federal Government has made multiple agreements with the Tribes here in Florida and it is their trust responsibility to these Tribes to honor them, not via EPA to abrogate that responsibility.

The Miccosukee people have codified rights within the Big Cypress Preserve and Everglades National Park. The lease lands in Water Conservation Area 3A is to receive treatment as a Federal Indian Reservation. The Miccosukee Tribe has fought hard, continues to do so, and has sued the state and federal government to protect their rights and lands. Resulting in the settlement agreement and consent decrees between the Miccosukee Tribe and the State of Florida.

1). I urge EPA to formally consult with the Miccosukee Tribe,

2) To not grant the State of Florida assumption of 404 permitting within Federal Jurisdictions, but remain with the Army Corps of Engineers as these are federal lands.

It is with humbleness that I write you, but with a sincere and fierce determination to see Indigenous Tribal Sovereignty and lands are protected and not diminished.

Thank you for your time.

Sincerely,

Betty Osceola
Panther Clan Grandmother

Sent from my iPhone